

\*E-FILED - 5/13/08\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE E. DASH,	)	No. C 08-0964 RMW (PR)
	)	
Petitioner,	)	ORDER OF TRANSFER
	)	
vs.	)	
	)	
MATTHEW C. KRAMER, Warden,	)	
	)	
Respondent.	)	
_____	)	

Petitioner, a state prisoner proceeding pro se incarcerated at California State Prison, Folsom (“Folsom”) seeks a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the execution of his sentence. Petitioner claims prison officials are failing to carry out the sentence imposed upon him by the trial court.


Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging the execution of a sentence are best heard in the district of confinement. See Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum to review execution of sentence); Habeas L.R. 2254-3(a)(2) (same); cf. Habeas L.R. 2254-3(a)(1) (district of conviction best forum to review challenge to lawfulness of conviction).

Folsom, where petitioner is incarcerated, is located within the venue of the Eastern District of California. See 28 U.S.C. § 84. Accordingly, this case is TRANSFERRED to

1 the United States District Court for the Eastern District of California. See 28 U.S.C. §  
2 1404(a); Habeas L.R. 2254-3(b)(2). The clerk shall terminate any pending motions and  
3 transfer the entire file to the Eastern District of California.

4 IT IS SO ORDERED.

5 DATED: 5/12/08

  
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6 RONALD M. WHYTE  
United States District Judge